

Nicolas Daluiso, OSB 126155  
ndaluiso@robinsontait.com  
Wesley Werich, OSB 131803  
wwerich@robinsontait.com  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
Tel: (206) 676-9640  
Fax: (206) 676-9659

UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF OREGON

LISA CARRIGAN, individually and JACK  
D. SCHLICKING and LAUREN J.  
SCHICKLING as husband and wife and  
individually.

Plaintiffs Pro Se,

v.

FIRST AMERICAN TITLE INSURANCE  
COMPANY, REGIONAL TRUSTEE  
SERVICES CORPORATION, FIDELITY  
NATIONAL TITLE INSURANCE  
COMPANY, RECONTRUST COMPANY,  
N.A., GN MORTGAGE LLC.,  
GUARANTY BANK, F.S.B., BAC HOME  
LOANS SERVICING, COUNTRYWIDE  
HOME LOANS SERVICING, LP., BANK  
OF AMERICA, N.A., MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS (MERSCORP); ELAINE  
LOUISE HOWARD, Public Notary, d/b/a  
AFFORDABLE DOCUMENT  
PROCESSING; CHRISTINA  
BALANDRAN; DANIEL RODRIGUEZ,  
LINDA GREEN and John and Mary Does  
1-10.

Defendants.

Case No.: 6:13-cv-902-TC

**DECLARATION OF NICOLAS DALUIISO IN  
SUPPORT OF DEFENDANT REGIONAL  
TRUSTEE SERVICES CORPORATION'S  
MOTION FOR SUMMARY JUDGMENT**

I, Nicolas Daluiso, declare:

DECLARATION IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT - 1  
60021-0828-JUD-2

*Law Offices*  
**ROBINSON TAIT, P.S.**  
710 Second Avenue, Suite 710  
Seattle WA 98104  
(206) 676-9640

1. I am attorney of record for the defendants in the above-entitled action and make this Declaration based on personal knowledge.

2. On September 9, 2013, our office emailed plaintiffs, explaining our arguments in support of dismissal and advising of our LR-7 efforts at resolution. A true and correct copy of the email is attached hereto as Exhibit A.

3. In response thereto, plaintiffs sent a correspondence on September 23<sup>rd</sup>, 2013, acknowledging our efforts at settlement and requesting answers from Regional despite our assertions as to Regional's utter lack of involvement in the underlying dispute. A true and correct copy of the email is attached hereto as Exhibit B.

4. On December 5<sup>th</sup>, our office emailed plaintiffs, advising of our intent to file a motion for summary judgment and offering to talk to plaintiffs before doing so. A true and correct copy of the email is attached hereto as Exhibit C.

5. Plaintiffs did not respond to the December 5<sup>th</sup> email or our subsequent correspondence on December 11<sup>th</sup>, 2013.

6. Consequently, our office called the Schicklings on December 13<sup>th</sup>, 2013 and discussed the filing of our dispositive motion with Lauren Schickling. A true and correct copy of the email is attached hereto as Exhibit D.

7. We received two subsequent correspondences from plaintiffs with inconsistent information regarding settlement. A true and correct copy of the email is attached hereto as Exhibit E.

8. We sent a final email to plaintiffs, informing them that resolution does not seem possible without a court determination and that we would be filing the motion now before this

Court. A true and correct copy of the email is attached hereto as Exhibit F.

I declare under the penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct.

Dated this 30th day of December, 2013 at Seattle, Washington.

/s/ Nicolas Daluiso  
Nicolas Daluiso, OSB # 126155

## Exhibit “A”

## Wesley Werich

---

**From:** Nicolas Daluiso  
**Sent:** Thursday, December 05, 2013 4:39 PM  
**To:** Wesley Werich  
**Subject:** FW: Case no. 6:13-cv-902-TC filings Case: 60021-0828-JUD-2

Nicolas A. Daluiso  
Managing Attorney  
Litigation Department  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
Direct: (206) 876-3268  
Main: (206) 676-9640  
Fax: (206) 676-9659  
[ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com)

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Thursday, September 19, 2013 11:32 AM  
**To:** Nicolas Daluiso  
**Subject:** Re: Case no. 6:13-cv-902-TC filings Case: 60021-0828-JUD-2

Mr. Daluiso,

We have had email problems for a while and I have just been able to access this. Please give me a little time to catch up and I will respond.

Thank you for your consideration in this matter.

Kindest Regards,  
Lauren Schickling

---

**From:** Nicolas Daluiso <[NicolasD@robinsontait.com](mailto:NicolasD@robinsontait.com)>  
**To:** 'Jack Schickling' <[jack.schickling@yahoo.com](mailto:jack.schickling@yahoo.com)>  
**Sent:** Monday, September 9, 2013 1:24 PM  
**Subject:** RE: Case no. 6:13-cv-902-TC filings Case: 60021-0828-JUD-2

Mr. Schickling

I reviewed my emails having thought I had sent you an LR 7 email and I see that you are correct in your opposition that there was no LR 7 attempt. My apologies, I will be striking my motion.

I understand from your responsive email on 8/14/13 and from your opposition that you disagree that Regional had a duty to fix what you contend to be an incorrect legal description. I can provide you a declaration that Regional did not even know that it was named as trustee. The originating lender just chose Regional without alerting them. This is the practice in OR. The current lender then substitute the trustee when they are prepared to foreclose. So Regional could not have fixed something they were completely unaware of. I would have included the declaration in my motion if I could have, but I cannot attach it to a 12(b)(6) motion.

If I provide you with that declaration, would you consider dismissing my client?

Please consider this my LR 7 communication in attempt at resolve the matter as I will be renoting my motion later.

Thank you

Nicolas A. Daluiso  
Managing Attorney  
Litigation Department  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
Direct: (206) 876-3268  
Main: (206) 676-9640  
Fax: (206) 676-9659  
[ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com)

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 09, 2013 10:36 AM  
**To:** Nicolas Daluiso  
**Subject:** Fw: Case no. 6:13-cv-902-TC filings

----- Forwarded Message -----

**From:** Jack Schickling <[jack.schickling@yahoo.com](mailto:jack.schickling@yahoo.com)>  
**To:** "aparks@agsprp.com" <[aparks@agsprp.com](mailto:aparks@agsprp.com)>; "dparadis@brophylegal.com" <[dparadis@brophylegal.com](mailto:dparadis@brophylegal.com)>;  
"fgoldberg@bergersingerman.com" <[fgoldberg@bergersingerman.com](mailto:fgoldberg@bergersingerman.com)>; "jlaurick@kilmerlaw.com" <[jlaurick@kilmerlaw.com](mailto:jlaurick@kilmerlaw.com)>;  
"ndaluiso@robinsontait.com" <[ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com)>; "slarson@rcolegal.com" <[slarson@rcolegal.com](mailto:slarson@rcolegal.com)>;  
"trepas@wshblaw.com" <[trepas@wshblaw.com](mailto:trepas@wshblaw.com)>; "TranetzkiK@LanePowell.com" <[TranetzkiK@LanePowell.com](mailto:TranetzkiK@LanePowell.com)>  
**Sent:** Monday, September 9, 2013 8:44 AM  
**Subject:** Case no. 6:13-cv-902-TC filings

EXHIBITS to follow in next email

CONFIDENTIALITY NOTICE: The information contained herein may be privileged and protected by the attorney/client and/or other privilege. It is confidential in nature and intended for use by intended addressee only. If you are not the intended recipient, you are hereby expressly prohibited from dissemination, distribution, copying or any use whatsoever of this transmission and its contents. If you receive this transmission in error, please reply or call the sender.

## Exhibit “B”

Lisa Carrigan  
P.O. Box 338  
Veneta, Oregon 97487  
855-843-3276  
[lisacarrigan@rocketmail.com](mailto:lisacarrigan@rocketmail.com)

Jack and Lauren Schickling  
P.O. Box 430  
Veneta, Oregon  
541-935-3998  
[jack.schickling@yahoo.com](mailto:jack.schickling@yahoo.com)

September 23, 2013

**Carrigan v. First American Title Ins. Co. et al Case No. 6:13-cv-902-TC**  
**RE: REGIONAL TRUSTEE SERVICES**

Dear Mr. Nicolas Daluiso,

We are in receipt of your email dated September 9. It is refreshing that a defendant would actually apologize for something he/she acknowledges was not done "right". We accept your apology. We also agree that this constitutes your attempt to settle. Unfortunately, we cannot do so at this time.

Here are our problems:

- 1) We do know enough to accept your "statement of facts" to be "true". We have been given false information repeatedly in this case by the Defendants. You talk about the practice but we have nothing to suggest that what you say is the "practice".
- 2) Who obtained this legal description and when
- 3) Under your policy it would seem to us that you are responsible whether or not you prepared the legal description. Quite frankly the question is "if not you, who". Can you tell us who is responsible for this "wrong" legal description? Can you tell us legally why you are not responsible?
- 4) You indicate that another entity may have liability, who is it and why? Is it the title company?
- 5) Would the substitute trustee be responsible as opposed to you? If so why or why not.

When we have the answers to these questions we will be in a better position to consider our options with regard to you.

Sincerely,

  
\_\_\_\_\_  
Lisa Carrigan

  
\_\_\_\_\_  
Jack Schickling

  
\_\_\_\_\_  
Lauren Schickling



## Exhibit "C"

## Wesley Werich

---

**From:** Wesley Werich  
**Sent:** Thursday, December 05, 2013 4:53 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@hotmail.com'  
**Cc:** Nicolas Daluiso  
**Subject:** FW: Case no. 6:13-cv-902-TC Carrigan v First American et al  
**Attachments:** Lawsuit signed REGIONAL TRUSTEE let to Daluiso.pdf

Good afternoon:

I am assisting Nicolas Daluiso on this matter, and per the letter attached herein, it appears efforts at resolution in terms of our client, Regional, have been thus far been unsuccessful. We plan to move forward with the filing of our dispositive motion shortly, but before doing so, we'd like to arrange for a telephonic conference pursuant to LR 7-1. Please advise of your availability within the next few days, or if you do not wish to confer further, please respond as such. I am happy to conference in all three plaintiffs if they wish to attend. You will just need to send me the numbers you wish to be reached at.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsonstait.com](mailto:wwerich@robinsonstait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsonstait.com](mailto:ndaluiso@robinsonstait.com) or (206) 876-3268.

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 23, 2013 5:23 PM  
**To:** Nicolas Daluiso; Nicolas Daluiso  
**Subject:** Case no. 6:13-cv-902-TC Carrigan v First American et al

We would like to say there are not to many honest people. We commend you for your honesty. See attached.

Kindest Regards,  
Carrigan & Schicklins

## Wesley Werich

---

**From:** Wesley Werich  
**Sent:** Wednesday, December 11, 2013 12:38 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@rocketmail.com'  
**Subject:** RE: Case no. 6:13-cv-902-TC Carrigan v First American et al

**Importance:** High

I am following up on my email below, as I have not received a response from either one of you. Please promptly respond.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

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**From:** Wesley Werich  
**Sent:** Thursday, December 05, 2013 4:53 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@hotmail.com'  
**Cc:** Nicolas Daluiso  
**Subject:** FW: Case no. 6:13-cv-902-TC Carrigan v First American et al

Good afternoon:

I am assisting Nicolas Daluiso on this matter, and per the letter attached herein, it appears efforts at resolution in terms of our client, Regional, have been thus far been unsuccessful. We plan to move forward with the filing of our dispositive motion shortly, but before doing so, we'd like to arrange for a telephonic conference pursuant to LR 7-1. Please advise of your availability within the next few days, or if you do not wish to confer further, please respond as such. I am happy to conference in all three plaintiffs if they wish to attend. You will just need to send me the numbers you wish to be reached at.

Sincerely,

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[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 23, 2013 5:23 PM  
**To:** Nicolas Daluiso; Nicolas Daluiso  
**Subject:** Case no. 6:13-cv-902-TC Carrigan v First American et al

We would like to say there are not to many honest people. We commend you for your honesty.  
See attached.

Kindest Regards,  
Carrigan & Schicklings

## Exhibit “D”

## Wesley Werich

---

**From:** Wesley Werich  
**Sent:** Friday, December 13, 2013 10:46 AM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@rocketmail.com'  
**Cc:** CaseDocs  
**Subject:** RE: Case no. 6:13-cv-902-TC Carrigan v First American et al/ Case: 60021-0828-JUD-2

Good morning:

I never received a response to my previous emails. Consequently, I called the Schicklings this morning, and this email is in follow up to my phone call with Lauren Schickling this morning. I have advised that we intend to file our motion for summary judgment next week. You will be served with a copy of our motion. It was further requested that I call Ms. Schickling to advise when our motion has been filed. While there is no court rule or even common practice to do so, I will try and remember to place the call upon the filing. If you have any questions, you can reach me at the contact information provided below.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Wesley Werich  
**Sent:** Wednesday, December 11, 2013 12:38 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@rocketmail.com'  
**Subject:** RE: Case no. 6:13-cv-902-TC Carrigan v First American et al  
**Importance:** High

I am following up on my email below, as I have not received a response from either one of you. Please promptly respond.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Wesley Werich  
**Sent:** Thursday, December 05, 2013 4:53 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@hotmail.com'

**Cc:** Nicolas Daluiso  
**Subject:** FW: Case no. 6:13-cv-902-TC Carrigan v First American et al

Good afternoon:

I am assisting Nicolas Daluiso on this matter, and per the letter attached herein, it appears efforts at resolution in terms of our client, Regional, have been thus far been unsuccessful. We plan to move forward with the filing of our dispositive motion shortly, but before doing so, we'd like to arrange for a telephonic conference pursuant to LR 7-1. Please advise of your availability within the next few days, or if you do not wish to confer further, please respond as such. I am happy to conference in all three plaintiffs if they wish to attend. You will just need to send me the numbers you wish to be reached at.

Sincerely,

*Wesley J. Werich*  
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Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 23, 2013 5:23 PM  
**To:** Nicolas Daluiso; Nicolas Daluiso  
**Subject:** Case no. 6:13-cv-902-TC Carrigan v First American et al

We would like to say there are not to many honest people. We commend you for your honesty.  
See attached.

Kindest Regards,  
Carrigan & Schicklings

## Exhibit “E”



## Wesley Werich

---

**From:** Jack Schickling [jack.schickling@yahoo.com]  
**Sent:** Friday, December 13, 2013 9:45 PM  
**To:** Wesley Werich  
**Subject:** Fw: Case no. 6:13-cv-902-TC Carrigan v First American et al/ Case: 60021-0828-JUD-2

On Friday, December 13, 2013 9:40 PM, Jack Schickling <jack.schickling@yahoo.com> wrote:

Good late evening Wesley,

I apologize for my abruptness today. As I told you I was very busy with a project that had to be done right then. At any rate we would will comply with the Civil Rules, if you would like to email Jack and I and Ms. Carrigan, what it is that you would like to discuss we can surely discuss it via email. We are open to a settlement offer from your client and will propose a settlement offer in writing if you prefer. Email is the best way to confer with all parties as we all have different schedules. Ms. Carrigan works from 6:45 AM to 7 PM daily and is not available by phone unless she misses work. My schedule varies and is somewhat flexible.

Jack is very ill right now, I almost had to take him to the hospital today. We have obtained a Dr. appt. Tuesday in Springfield, so I will be gone all day assisting him.

Thank you for kindness in considering calling me but, I do not need you to do that as I have calendered your Motion to Dismiss for this Tuesday Dec. 17, 2013. I will check Pacer for the filing.

Thank you again for the call it is appreciated.

Kindest Regards,  
Lauren & Jack Schickling

On Friday, December 13, 2013 10:45 AM, Wesley Werich <[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)> wrote:  
Good morning:

I never received a response to my previous emails. Consequently, I called the Schicklings this morning, and this email is in follow up to my phone call with Lauren Schickling this morning. I have advised that we intend to file our motion for summary judgment next week. You will be served with a copy of our motion. It was further requested that I call Ms. Schickling to advise when our motion has been filed. While there is no court rule or even common practice to do so, I will try and remember to place the call upon the filing. If you have any questions, you can reach me at the contact information provided below.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Wesley Werich  
**Sent:** Wednesday, December 11, 2013 12:38 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@rocketmail.com'  
**Subject:** RE: Case no. 6:13-cv-902-TC Carrigan v First American et al  
**Importance:** High

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Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
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Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Wesley Werich  
**Sent:** Thursday, December 05, 2013 4:53 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@hotmail.com'  
**Cc:** Nicolas Daluiso  
**Subject:** FW: Case no. 6:13-cv-902-TC Carrigan v First American et al

Good afternoon:

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to LR 7-1. Please advise of your availability within the next few days, or if you do not wish to confer further, please respond as such. I am happy to conference in all three plaintiffs if they wish to attend. You will just need to send me the numbers you wish to be reached at.

Sincerely,

*Wesley J. Werich*  
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Robinson Tait, P.S.  
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Seattle, WA 98104  
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For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

---

**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 23, 2013 5:23 PM  
**To:** Nicolas Daluiso; Nicolas Daluiso  
**Subject:** Case no. 6:13-cv-902-TC Carrigan v First American et al

We would like to say there are not to many honest people. We commend you for your honesty.  
See attached.

Kindest Regards,  
Carrigan & Schicklings

CONFIDENTIALITY NOTICE: The information contained herein may be privileged and protected by the attorney/client and/or other privilege. It is confidential in nature and intended for use by intended addressee only. If you are not the intended recipient, you are hereby expressly prohibited from dissemination, distribution, copying or any use whatsoever of this transmission and its contents. If you receive this transmission in error, please reply or call the sender.

Lisa CARRIGAN  
P.O. Box 338  
Veneta, Oregon 97487  
855-843-3276  
[lisacarrigan@rocketmail.com](mailto:lisacarrigan@rocketmail.com)

D. Jack SCHICKLING  
P.O. Box 430  
Veneta, Oregon 97487  
[jack.schickling@yahoo.com](mailto:jack.schickling@yahoo.com)

J. Lauren SCHICKLING  
P.O. Box 430  
Veneta, Oregon 97487  
541-935-3998  
[jack.schickling@yahoo.com](mailto:jack.schickling@yahoo.com)

To: Wesley Werich, [wwerich@robinsontait.com](mailto:wwerich@robinsontait.com) and Nicholas Daluiso,  
[ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com), counsel for Regional Trustee Services;

From: Lisa Carrigan, Jack and Lauren Schickling, Plaintiffs Pro Se

Sent by email only

Re: Federal and State Litigation of Plaintiffs Federal Case No. 6:13-cv-902-TC

This is in response to the telephone call that we had on Friday, December 13, 2013. It appears that we have a misunderstanding. Your client filed a document in which they claimed that they had had a settlement discussion with us. We disputed that and it appears that after some back and forth the Court struck your document and the Motion to Dismiss that you had filed and we had answered is basically null and void.

It appears now that you want to refile a Motion to Dismiss rather than file an answer and as part of that Motion to Dismiss you wish to state to the Court that we have had a settlement discussion pursuant to a local rule which you mischaracterized and misnomered. Apparently, that is what you want to discuss. However, we have two issues with this:

First, it has been several months since the Court struck your motion to dismiss and even longer since you were served and you have never filed a timely response to the service. We believe that you now must seek leave of court to file out of time a responsive pleading (an Answer or Motion to Dismiss) which we will oppose at this point in time as we believe only an "answer" may be filed at this late date and only if leave is granted to file it.

Second, you made an offer to settle to which we responded to by the letter dated Sept. 23, 2013 of which you attached in your email dated Dec. 11, 2013, by raising questions which you never answered or responded to at all. We cannot engage in settlement with you until those questions are resolved. At that time we will be happy to discuss settlement with you. However, trying to set up a telephone conference at this time, when those questions have not been answered, is "premature". We suggest that you review that letter, come up some answers, send it to us and then we can move forward. However, filing a new Motion to Dismiss without those discussions based upon answers to our question, and without leave of court is not acceptable. The ball is in your court, not ours.

Respectfully yours,

Lisa Carrigan

Jack Schickling

Lauren Schickling

## Exhibit “F”

## Wesley Werich

---

**From:** Wesley Werich  
**Sent:** Monday, December 16, 2013 10:15 AM  
**To:** 'Lisa Carrigan'  
**Cc:** 'jack.schickling@yahoo.com'; Nicolas Daluiso  
**Subject:** RE: Case no. 6:13-cv-902-TC Carrigan v First American et al

**Importance:** High

Tracking:	Recipient	Delivery	Read
	'Lisa Carrigan'		
	'jack.schickling@yahoo.com'		
	Nicolas Daluiso	Delivered: 12/16/2013 10:15 AM	Read: 12/16/2013 10:16 AM

I suggest the Schicklings check their spam folder as I sent them an email on December 5<sup>th</sup>, as evidenced below, and I used the email provided on the pleadings and also confirmed that I had the correct email address with Ms. Schickling on the phone. As for Ms. Carrigan's email, I resent the same email to her at the correct email address on December 5<sup>th</sup>. If you are claiming not to receive it, please also check your spam folder and advise if you have not received it.

In response to your letter, we filed our Answer on 11/27/13, as evidenced by the docket on Pacer. We do not need seek the leave of the Court to file a Motion for Summary Judgment.

As Nicolas Dalusio explained in his email on September 9, 2013, Regional did not even know that it was named as trustee. The originating lender just chose Regional without alerting them. This is the practice in OR. Subsequently, the current lender appointed a successor trustee when they are prepared to foreclose. Regional could not have fixed something they were completely unaware of. Regional had absolutely no involvement in the origination, subsequent foreclosure, or anything to do with subject property whatsoever. Consequently, Regional does not have the answers to the questions you posed and will not be making an offer of settlement.

We have done our best to explain our position, and resolution does not seem possible without a court determination. We will advise the court of this when we file our Motion for Summary Judgment this week.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

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**From:** Lisa Carrigan [mailto:[lisacarrigan@rocketmail.com](mailto:lisacarrigan@rocketmail.com)]  
**Sent:** Saturday, December 14, 2013 11:46 AM  
**To:** Wesley Werich; Nicolas Daluiso  
**Subject:** Re: Case no. 6:13-cv-902-TC Carrigan v First American et al

Dear Ms. Werich & Mr. Daluiso,

After some investigation this morning, we are sending you this attached letter, by email only due to time constraints, in response to the phone conversation between Ms. Werich and Mrs. Schickling on Dec. 13, 2013.

Also please be advised that either Schicklins nor Carrigan, received the email from you dated Dec. 5th. Lisa Carrigan noticed that her email address was not correct. The correct address is lisacarrigan@rocketmail.com

Regards,  
Lisa Carrigan, Jack & Lauren Schickling

On Wednesday, December 11, 2013 12:38 PM, Wesley Werich <[wwerich@robinsonstait.com](mailto:wwerich@robinsonstait.com)> wrote:  
I am following up on my email below, as I have not received a response from either one of you. Please promptly respond.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsonstait.com](mailto:wwerich@robinsonstait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsonstait.com](mailto:ndaluiso@robinsonstait.com) or (206) 876-3268.

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**From:** Wesley Werich  
**Sent:** Thursday, December 05, 2013 4:53 PM  
**To:** 'jack.schickling@yahoo.com'; 'lisacarrigan@hotmail.com'  
**Cc:** Nicolas Daluiso  
**Subject:** FW: Case no. 6:13-cv-902-TC Carrigan v First American et al

Good afternoon:

I am assisting Nicolas Daluiso on this matter, and per the letter attached herein, it appears efforts at resolution in terms of our client, Regional, have been thus far been unsuccessful. We plan to move forward with the filing of our dispositive motion shortly, but before doing so, we'd like to arrange for a telephonic conference pursuant to LR 7-1. Please advise of your availability within the next few days, or if you do not wish to confer further, please respond as such. I am happy to conference in all three plaintiffs if they wish to attend. You will just need to send me the numbers you wish to be reached at.

Sincerely,

*Wesley J. Werich*  
Attorney  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104



direct: (206) 876-3286  
fax: (206) 676-9659  
[wwerich@robinsontait.com](mailto:wwerich@robinsontait.com)

For escalation, please contact my Manager, Nicolas Daluiso at [ndaluiso@robinsontait.com](mailto:ndaluiso@robinsontait.com) or (206) 876-3268.

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**From:** Jack Schickling [<mailto:jack.schickling@yahoo.com>]  
**Sent:** Monday, September 23, 2013 5:23 PM  
**To:** Nicolas Daluiso; Nicolas Daluiso  
**Subject:** Case no. 6:13-cv-902-TC Carrigan v First American et al

We would like to say there are not to many honest people. We commend you for your honesty.

See attached.

Kindest Regards,  
Carrigan & Schicklings

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